



**MINUTES  
FAIRFIELD COUNTY COUNCIL  
REGULAR MEETING  
DECEMBER 14, 2009**

**Present:** Russell David Brown, David L. Ferguson, Sr., Mary Lynn Kinley, Kamau Marcharia, Dwayne Perry, Carolyn B. Robinson, Mikel R. Trapp, Council Members; Philip L. Hinely, County Administrator; Shryll M. Brown, Clerk to Council.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80 (e), as amended, the following persons and/or organizations have been notified of the time, date, and location of this meeting: The Herald-Independent, The State, and Winnsboro Cablevision, and forty-nine other individuals.

**1. CALL TO ORDER**

Chairman Brown called the meeting to order at 6:05 P.M.

2. After which Council Member Kinley gave the invocation.

**3. APPROVAL OF MINUTES**

*It was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to approve the minutes of the regular meeting of November 23, 2009 and special meeting of November 30, 2009. The motion carried unanimously.*

Chairman Brown asked that the agenda be amended to move the executive session up as Item 4B.

**PUBLIC HEARING**

An Ordinance Authorizing The Extension Of The Investment Period Under The Fee Agreement By And Between Fairfield County, South Carolina, And Lang Mekra North America, Llc To Allow For Continued Investment In The Project Under The Fee Agreement, Authorizing Additional Property To Be Included As A Part Of The Project Under The Fee Agreement, And Authorizing Other Related Matters. *Chairman Brown opened public hearing at 6:07 P.M. Hearing no comments, public hearing was closed at 6:08 P.M.*

**PRESENTATIONS AND RECOGNITIONS**

- Fairfield County Recreation Department 8-10 Small Fry Division, SCRPA Runners Up  
– Mrs. Lori Schaeffer, Recreation Director
- Midlands Fatherhood Coalition – Mr. Keith Ivey, Site Director
- Palmetto Training Center – Mr. Eddie Jackson, President & Owner
- Fairfield County Library – Mrs. Sarah McMaster, Library Director

**4. PUBLIC COMMENT**

None.

**4B. EXECUTIVE SESSION**

*At 6:58 P.M., it was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to go in executive session to discuss a legal matter and a personnel matter. The motion carried unanimously.*

*At 9:01 P.M., it was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to come out of executive session and return to regular session. The motion carried unanimously.*

*Chairman Brown reported that no action was taken in executive session.*

*It was moved by Council Member Perry; seconded by Council Members Ferguson and Marcharia to give the Chairman approval to sit down with the Administrator to discuss the details of his contract. The motion carried unanimously.*

*It was moved by Council Member Kinley; seconded by Council Member Perry to ask the Administrator to follow through expeditiously with the gift cards for the employees as discussed. The motion carried unanimously.*

**5. COMMITTEE REPORTS**

None.

**6. OLD BUSINESS**

**A. Second Reading: Ordinance No. 555** - Authorizing The Extension Of The Investment Period Under The Fee Agreement By And Between Fairfield County, South Carolina, And Lang Mekra North America, Llc To Allow For Continued Investment In The Project Under The Fee Agreement, Authorizing Additional Property To Be Included As A Part Of The Project Under The Fee Agreement, Authorizing One Or More Sponsor Affiliates wing Other Related Matters. *It was moved by Council Member Ferguson; seconded by Vice Chairman Trapp to approve Second Reading of Ordinance No. 555 as posted. The motion carried unanimously.*

**7. NEW BUSINESS**

**A. Reschedule Monday, December 28, 2009 Regular Meeting – To Tuesday, December 29, 2009**

*It was moved by Council Member Robinson; seconded by Council Member Ferguson to reschedule the regular meeting of Monday, December 28, 2009 to Tuesday, December 29, 2009. The motion carried unanimously.*

**B. Appointments/Reappointments To Fairfield County Boards And Commissions.** *It was moved by Vice Chairman Trapp; seconded by Council Member Marcharia to approve the Appointment/Reappointment listing of December 14, 2009 as presented by the Clerk. The motion carried unanimously.*

**8. COUNTY ADMINISTRATOR'S REPORT AND CORRESPONDENCE**

The County Administrator reported on the following items:

a. Reported that the Council recently authorized the issue of \$6.75 million dollars worth of bonds for some industrial property. As an update, he cited that prior to the issue of any bonds by the county, a bond rating from a bond rating agency has to be received, which is similar to a credit score when purchasing a house. Further, he stated that the bond rating agency for the county Standard and Poor's out of New York and on Monday, December 7 of this year, Mr. Anderson, Mrs. Johnson, Mr. Kozlarek and Mr. Brent Robinson and he had a phone conference call with the New York bond rating agency. Prior to that call, he said several years of audit reports were forwarded to them and answered a lot of other routine questions about the community. In the final portion of that, they actually do a phone call in which they have some unanswered questions and get a feel for the community, the fiscal management of the county and what the county's style is, etc. He added that typically in this economy, if you even keep the rating that you have, you are in good shape and stated that Standard and Poor's notified the county the other day that we had a Baa1 (which is equal to an A minus) and has been upgraded to an A plus. The significance of this, he said is during the life of these bonds, because of this upgraded rating, the county will save between on the high end of \$612,000.00 and low end of \$536,000.00 over a ten year period. Counsel Kozlarek also commented on the significance of the bond rating.

b. MTC groundbreaking rain date scheduled for Wednesday, December 16, 10:00 a.m.

**9. CLERK TO COUNCIL'S REPORT AND CORRESPONDENCE:**

a. Reminded Council of the worksessions scheduled for December 15, 2009: 5:00 with the Delegation and 6:00 with the CTC.

**10. BOARD AND COMMISSION MINUTES**

Ms. Kinley opined that after reading the report of the Fire Board's meeting, that it is time for Mr. Hinely to visit the Fire Board's meeting due to some strong issues that need a strong opinion given. Other members of Council voiced the same sentiment. Mr. Hinely voiced that some of the members of the Fire Board should be given an opportunity to explain themselves and that he would write Council a letter which will outline his concerns with the Fire Board.

**11. INFORMATIONAL ITEMS**

Provided as information.

**12. COUNTY COUNCIL TIME**

Ferguson: Made the Council aware of a Legislative Alert from SCAC as it relates to the state's anticipated savings of one hundred million dollars by letting all of the non-violent offenders who have 365 days or less to stay in the county jails. He also commented on the successful meeting he had with the Catawba Region, which was held at Carolina Adventure World.

**13. ADJOURN**

The meeting adjourned at 9:19 P.M., upon unanimous approval of Council.

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SHRYLL M. BROWN  
CLERK TO COUNCIL

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RUSSELL DAVID BROWN  
CHAIRMAN